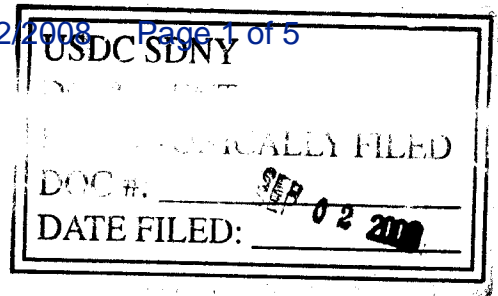


JUDGE CHIN



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA : INDICTMENT

- v. - : 08 Cr.

SHARIF SUMNER,

Defendant.

**08 CRIM 824**

- - - - -X

COUNT ONE

The Grand Jury charges:

1. From at least in or about March 2008 through and including on or about August 25, 2008, in the Southern District of New York and elsewhere, SHARIF SUMNER, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that SHARIF SUMNER, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 1 kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about April 2008, SHARIF SUMNER, the defendant, received a quantity of heroin from a coconspirator ("CC-1") not named as a defendant herein.

b. On or about April 14, 2008, in Manhattan, New York, SUMNER provided a confidential government informant ("CI-1") with 12.8 grams of a substance containing a detectable amount of heroin.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. From at least in or about March 2008 through and including on or about August 25, 2008, in the Southern District of New York and elsewhere, SHARIF SUMNER, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

5. It was a part and an object of the conspiracy that SHARIF SUMNER, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a

controlled substance, to wit, 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1), and 841(b)(1)(B) of Title 21, United States Code.

Overt Acts

6. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about August 25, 2008, SHARIF SUMNER, the defendant, placed a call to CI-1, in Manhattan, New York, during which SUMNER agreed to pay CI-1 \$25,000 in exchange for a kilogram of cocaine.

b. On or about August 25, 2008, in Manhattan, New York, SUMNER provided CI-1 with approximately \$3500 and received a duffel bag containing approximately 1 kilogram of "sham" cocaine.

(Title 21, United States Code, Sections 846.)

FORFEITURE ALLEGATION

7. As a result of committing the controlled substance offenses alleged in Counts One and Two of this Indictment, SHARIF SUMNER, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violations and any and all

property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One and Two of this Indictment.

Substitute Assets Provision

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;

(c) has been placed beyond the jurisdiction of the Court;


(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

SHARIF SUMNER,

Defendant.

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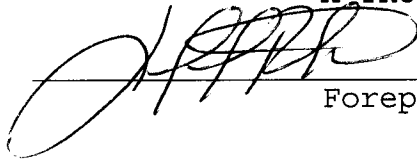
INDICTMENT

08 Cr.

(21 U.S.C. § 846)

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL



Foreperson.

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